

JUN 16 2005

400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343 - Telephone  
(516) 742-4366 - Facsimile  
e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY  
& PRESSER****Fax**

**To:** Examiner Jonathan P. Ouellette  
Group Art Unit: 3629  
Confirmation No.: 8227

**From:** John S. Sensny, Esq.

**Fax:** 703-872-9306

**Pages:** 22, pages including cover sheet

**Phone:**

**Date:** June 16, 2005

**Re:** U.S. Serial No. 09/706,645

**CC:**

Group Art Unit: 3629

Docket No. YOR920000454US1 (13808)

## **AMENDMENT UNDER 37 C.F.R. §1.116 (Final Rejection)**

Transmitted herewith are the following:

1. Amendment Transmittal Letter (in duplicate);
2. Amendment under 37 C.F.R. §1.116; and
3. Certificate of Transmission by Facsimile, dated June 16, 2005 (in duplicate).

**FOR:**

Applicants: Dimitri Kanevsky, et al.

Serial No.: 07/706,645

Filed: November 6, 2000

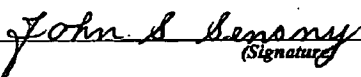
Title: A NETWORK OF PORTABLE, WIRELESS COMMUNICATIONS DEVCIES (AS AMENDED)

Today's Date: June 16, 2005

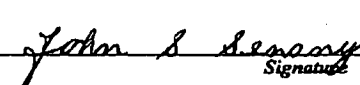
JSS:jy

**CONFIDENTIALITY:** The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Julie at Ext. 569 or via e-mail at Julie@ssmp.com..

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): <b>Dimitri Kanevsky, et al.</b>		Docket No. <b>YOR920000454US1 (13808)</b>	
Application No. <b>09/706,645</b>	Filing Date <b>November 6, 2000</b>	Examiner <b>Jonathan P. Ouellette</b>	Group Art Unit <b>3629</b>
Invention: <b>A NETWORK OF PORTABLE, WIRELESS COMMUNICATIONS DEVICES (AS AMENDED)</b>			
<p>I hereby certify that this <u>AMENDMENT UNDER 37 C.F.R. §1.116 (FINAL REJECTION)</u>  <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u> )</p> <p>on <u>June 16, 2005</u>  <small>(Date)</small></p> <div style="text-align: right; margin-top: 100px;"> <u>John S. Sensny</u>  <small>(Typed or Printed Name of Person Signing Certificate)</small>    <small>(Signature)</small> </div> <p style="text-align: center; margin-top: 100px;"> <b>Note: Each paper must have its own certificate of mailing.</b> </p>			

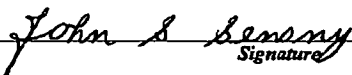
P18/REV02

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>YOR920000454US1 (13808)</b>	
Applicant(s): <b>Dimitri Kanevsky, et al.</b>					
Application No. <b>09/706,645</b>	Filing Date <b>November 6, 2000</b>	Examiner <b>Jonathan P. Quellette</b>	Customer No. <b>23389</b>	Group Art Unit <b>3629</b>	Confirmation No. <b>8227</b>
Invention: <b>A NETWORK OF PORTABLE, WIRELESS COMMUNICATIONS DEVICES (AS AMENDED)</b>					
<b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	20 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>50-0510/IBM</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 John S. Sensny Registration No. 28,757  Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343  cc: JSS:jy			Dated: <b>June 16, 2005</b>  <div style="border: 1px solid black; padding: 5px;">         I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____          (Date)          _____          Signature of Person Mailing Correspondence          _____          Typed or Printed Name of Person Mailing Correspondence       </div>		

P11LARGE/REV09

[illegible]

P18/REV02

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>YOR920000454US1 (13808)</b>	
Applicant(s): <b>Dimitri Kanevsky, et al.</b>					
Application No. <b>09/706,645</b>	Filing Date <b>November 6, 2000</b>	Examiner <b>Jonathan P. Quellette</b>	Customer No. <b>23389</b>	Group Art Unit <b>3629</b>	Confirmation No. <b>8227</b>
Invention: <b>A NETWORK OF PORTABLE, WIRELESS COMMUNICATIONS DEVICES (AS AMENDED)</b>					
<b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	20 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>50-0510/IBM</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 <b>John S. Sensny</b> Registration No. 28,757  <b>Scully, Scott, Murphy &amp; Presser</b> 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343  cc: JSS:jy			Dated: <b>June 16, 2005</b>  <div style="border: 1px solid black; padding: 5px;">         I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____          _____          (Date)          _____          Signature of Person Mailing Correspondence          _____          Typed or Printed Name of Person Mailing Correspondence       </div>		

P11LARGE/REV09

RECEIVED  
CENTRAL FAX CENTER  
JUN 16 2005

**Response Under 37 C.F.R. §1.116**  
**Expedited Procedure Examining**  
**Examining Group 3629**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Dimitri Kanevsky, et al.

**Examiner:** Jonathan P. Ouellette

**Serial No:** 09/706,645

**Art Unit:** 3629

**Filed:** November 6, 2000

**Docket:** YOR920000454US1 (13808)

**For:** A NETWORK OF PORTABLE, WIRELESS  
COMMUNICATIONS DEVICES (AS AMENDED)

**Dated:** June 16, 2005

**Confirmation No.:** 8227

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. §1.116**

Dear Sir:

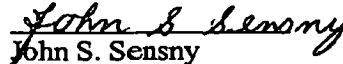
In response to the Office Action dated April 21, 2005, please amend the subject patent application as follows:

---

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: June 16, 2005

  
John S. Sensny